App F IX 4

Previous References

1943 Mundabal

File No 186-43

Serial Nos 1 & 2 —

Later References

GENERAL AND REVENUE SECRETARIAT

Serial Nos 2 —

15

Part B for April 1944

SUBJECT

Re: the taking of bonds of Rs 4500/- by 17 ryots A Ramaswamappa & K Ruvvappa V P of Tirl. Council Chairman respectively of Devanhelly Mutt in connection with the misappropriation of Jaggery proceedings recommending for their removal

1) the Deputy Commissioner Bellary Dist
2) Comptroller Govt

LNo 10447-8 T1/186-43-2 dated 6.4.44

stating that no action deemed necessary

M —

24/7

Letter No NB-4517/42-43 dt. 29.10.43 from the Dte Police Dept, Recommending the Removal of the memberships of Messrs A Ramaswamappa, Vice President & K Rudrappa from the Devanahalli Town NCC for their alleged misconduct under S 14 of the D N Act

The Dte Police Dept states that the Vice President & one of the NI Councillors Dr K Rudrappa are reported to have involved themselves in the activities of Smuggling Case & Charged with the Corruption of having illegally received Rs 40/- in the Case. The Asst Commissioner having Conducted the enquiry is of the opinion that the Conduct of the Vice President & Dr K Rudrappa is open to suspicion. The Devanahalli NCC has resolved that the accused may be discharged for the time being with a warning. But the Dte thinks that the Resolution of the NCC is deficient & recommends the Removal of the memberships of the 2 accused from the NI CC under S 14 of the D N Act

Vide the Reverse of Flag 'G'

Flag 'A'

The wording of the Section is that "on the Recommendation of the NCC after giving (the accused) an opportunity of being heard & after such enquiry as it (Govt) deems necessary" the Govt may Remove any Councillor who is guilty of misconduct Hence the Recommendation of the NI CC is one of the

Court has precedent to the Removal of any M.C. Councillor from the Cl But the D.C seems to overlook this aspect of the case I recommend the Summary Removal of the members

Ordered by order

15/11/43 3 In this case, the conduct of a municipal councillor by name Mr. K Rudrappa and of the vice President Mr. A. Ramaswamappa of the Devanahalli Town Municipality is dealt with. The D.C of Kolar recommends that they may be removed from the membership of the Municipal for disgraceful conduct under Sec 14 of the Mysore Town Municipalities Act-1933. The sections under which action may be taken against a Municipal Councillor & a vice President are Sec 14 & Sec 23 (11) respectively of the Act.

4 The reasons which have led the D.C to make a recommendation as above are contained in P.V.D Rev The report of the Sub-Divisional Officer, Doddaballapur is in detail & is for perusal

The statements of the two persons given before the enquiry officer are impersonal (Pages Q 1 - P) Both of them totally deny the charges allegations against them & state that it is the result of faction with the M.L.A.

S/ The M.L.A. have viewed the case leniently and want to let off the two persons with a warning this time. We D.C. Considers it otherwise. The point is that, even accept for the sake of argument of the S. D. O the offence cannot be brought home to the said persons as he states that their conduct is highly suspicious. Before the Govt could take action, it is necessary that the persons (accused) should be given an opportunity of being heard and before we could hear them, or ask them to show cause why they should not be removed from the membership of Municipal, definite charges should be framed against him & they should be called upon to explain their conduct in vindication of their character. Although in the course of enquiry it has been elicited that a sum of Rs 40/- was extracted as a bribe from the Smuggler of Jaggery on the night of 9/3/43 1/2/43.

4

yet it appears to be difficult to make a definite charge against them to that effect

7 Accdg to Mr Ramaswamy's statement (Flg Q), the accused even though he Chikkaveerappa by smuggling gold, yet knew it, he received Rs 3/12/- the ordinary daily, without any penalty; accdg to rule As pres resident he ought to have known better but failed in his duty further he does not appear to have brought the fact immediately to the notice of the Asst Pres resident. The last morning to cases & the time of happening of the case during the night of 30 to show that smuggling did take place & that the V. Pr failed in his duty

8 As regards Mr Rudrappa — M Councillor — it is quite clear that being the prime mover in the whole affair he has taken an active part right thro' and has acted disgracefully

The M Cl while finding them to be guilty of disgraceful conduct, have recommended that they maybe warned for this time

9 For orders whether the resolution of the M Cl may be accepted or the D C's power to remove them from the M Councillorship acted upon in the latter event notice will have

WD 0972—GPB—10 000—21-10-42

KJ

to be issued for them
In the case of [illegible] communication,
who is the rec[illegible]sentative, it is also
for consideration whether 23 (11) [illegible]
being not be removed from that place
instead of remaining in force to [illegible]
for orders

Law Secy 19/11/43

SECY LAW DEPT 5015 19 NOV 1943 GOVT OF MYSORE

TYPE SECTION 1 DEC 1943 GEN & REV SECTT

If the Municipal Council has
taken a decision that [illegible]
[illegible] must be removed from
membership for their disqualification
and notices under S 14 of the Act

Under 2 (g)

Cus
22 11 43

[illegible] may come

Dy
27 11 43

Cus
27-11-43

Draft H
for 27/11/43

OFFICE OF THE MINISTER FOR L S G & P H Date 23 11 43 No 3280

13

Submitted with a draft for approval

[illegible] 24/11

Law Secy for 30/11/43

14 Cus 1-12-43

15 Issue
A
9/12/43

SECY LAW DEPT 5763 1 DEC 1943 GOVT OF MYSORE

Mr Kelly
Appointment
No file required to
the P.S. to the
Minister of Supply
noting the date
etc

for
2/12/43
The Minister desires
that the enquiries
should be
heard
tomorrow

A 11 5.12
L 5761-2 of 2.12.43 2 Messrs Ramaswamy Mudaliar & Co. Esplanade
address the Writs for appearing before on 9.12.43
L 5763 of 2.12.43 to the DC Police Desk
Requests to cause the Writs to be delivered to the parties
If the notices have not yet been
returned duly served
& the case is posted for the 9th
the file is required

P.A. to the Minister
by J.P.W. 2/12/43

Send for orders whether
the party could be
heard tomorrow
as there is a Council
meeting at 2 p.m.

By DPP

WD 0972—GPB—30 000—21-10-42

W) Since the notices
have not been served
& have not been returned
duly served
the case cannot be heard
tomorrow
as there is a Council
meeting at 2 p.m.

Mr Ramaswamy
Pillay
Esplanade
2/12/43
Cpl
9-12-43
DC
Police
Desk
9-12-43

From the Dy Com, Bangalore
No M6-4577/42-43 & 7/12/43
Returned duly served the duplicate
notices issued in the Ochoa
Smuggling case at Devarshola

23) Subd. The fcts. may now be reported to the Personal Asst to the Minister for L.S.G. & P.H. suggesting a further date for posting the case for 20/1.

23) For kindly ascertaining the Minister's pleasure about the date suitable for posting the case perhaps 23rd Dec 43 may be fixed

P.A. to the Minister
Esq IPM 24/12

24) Some day in the 1st week of Jan 1944 may be fixed

24/12/43

25) Subd. Put up.

Put up with D.O. for H.S's approval

27/12

26) Approved

H.S.
27/12

6622-H-2 dt 31/12/43 To The H.M. Sourthaveerappan, Builder, Devarshola
Request him to arrange to serve the notices on the persons concerned

6622-3-A dt 31/12/43 To M/s A. Ramaswamy Iyer & Bros.
Subd. that the hearing of the case is postponed to 6/1/44

OFFICE OF THE MINISTER
FOR L.S.G. & P.H.
Rec'd 27/12/1943
No 4615-2

WD 0972—GPB—10 000—21-10-42

6

VI) The cases posted to the 6th January 1944 notices have been issued to the parties they have not yet been returned duly served.

7) P. A to the Minister for Supply and Air

5/1/44

8/1 The 2 writs have been duly served & returned

6/1

9/1 Messrs A Ramaswamy & K Rudrappa were present & they were heard

7/1

Dr amalgamation matter has been reconsidered, and the Collector says are no longer the mandars Even to apart, the committee have considered the matter and as this stage their resolution would be superfluous

Stg

3 3 cc

Cus 4-3 44

3/2

Letter with adroit approval

Supply

6/3

33) Mr Meeran — Please put up the file relating to the election of Mr Mohamed as vice President, Dharmapuri Town Ply. in which there is a reference to the resignation of certain members of the Board. Has Mr K. Rudrappa also resigned?

6/3/44

Subject to

The file is handed herewith, it is seen therefrom that Mr K Rudrappa has not resigned.

7/3

FILE STAT SHT
Fu L & G P H
Date 4.3.1944
No 6034

Re Removal of certain members of T.
2701 L Nizamat, H.E.H. the [illegible]

Continuation Sheet | File No | Current No | of | Page

mKB

31) A G.O has to be issued in this matter of laying up for instructions
Jour
8/3/44

33) Put with a draft G.O. drafted by
13/3 37) Kind reference is invited to the
letter dated 28 2 1944 (Pol O).
of the D.C. Nine Distt, according to which
only one A Ramaswamappa has resigned
his membership. The Registrar is
still the members of the said Council
38) A revised draft G.O. is put up for
approval in accordance with the orders
at paras 30 & 31 supra

21 3 44
MYSORE

Law Secy) to
24/3/44
Jour
Cal
27-3-44
Jour

Dewan

Jour
2/4/44
Cal
3-4-44
Jour
Secy
Dewan

TYPIC SECT CI
1 APR 1944
GEN REV SECTT

2 L 10447-8 — 6444 — to the D.C. Bl and Comptroller
Steps the it is not necessary to take any further action in the matter

B
13/6

219

10

No M6-4517/42-43.
Encl one file

OFFICE OF THE DEPUTY COMMISSIONER,
Bangalore, 29th October, 1943

From

M 188-43-1

Mahomed Ismail Sheriff, Esq , B A ,
Deputy Commissioner,
Bangalore District,

GEN & P I Sec
RECEIVED
3 NOV 1943
L S E

2201
L

To

SECY LAW DEPT
1943
GOVT OF MYSORE

C Narayanaswamy Naidu, Esq , B A ,B L ,
Secretary to the Government of Mysore,
Law Department, BANGALORE

Sir,

Subject - conduct of the Vice President and of Mr K Rudrappa, Municipal Councillor of Devanahalli Municipality

I have the honour to state that the Amildar President of Devanahally Town Municipality reported that Messrs A Ramaswamappa and K Rudrappa (Vide-President and Municipal Councillor respectively) of Devanahalli Municipality had committed an illegal and disgraceful act on the night of 13-1-43, in having taken a bribe of Rs 40/- from one Mr P Chikkaveerappa in connection with Octroi smuggling case of jaggery After recording the statement of the several parties including the officials of the Municipality and the Amildar President reported that there was cogent evidence to show that the Vice President and Mr K Rudrappa not only extorted the amount from the said merchant but also cheated the Municipality of its due income by compounding with the party He however, it was found that the enquiry conducted by the President was defective and as the parties had not been cross-examined and the statements had been recorded at several periods, the records were sent to the Sub Division Officer, Dodballapur for completion of regular enquiry in the matter

The Sub Division Officer has accordingly completed the enquiry and submitted the records His findings are that the conduct of the Vice-President and Mr K Rudrappa are highly suspicious and that they must have forced Mr P Chikkaveerappa, jaggery merchant to pay certain sum by way of illegal gratification under the false pretence that they would use it for charity He is further of opinion that Mr K Rudrappa has been the main Spring as it were in this case Though he(Rudrappa) had the experience of Vice - Presidentship for 8 years, Municipal Councillor for over 25 years and Representative Assembly Member for 12 years and District Board Member for some time the Sub Division Officer has opined that Rudrappa had not acted uprightly in the case but got the act of ignominy committed

On the strength of the above enquiry action was proposed to be taken against these two councillors under Sec 14 of the Town Municipalities Act of 1933 The opinion of the Municipal Council was called for in the matter They have resolved at their Special meeting held on 5-10-1943 that the two Councillors might be warned for this time I am afraid that the Council have viewed the matter leniently and that some disciplinary steps should be taken against them

In these circumstances of this case, I recommend that Messrs A Ramaswamappa and K Rudrappa may be removed from

p t o

G R S App F VI—G 2]

SUBJECT

13

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 6/4 194

Signed by Mr. G.R.Rao

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?

Section Mt

File No 188-43

Serial No 2

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Letter no 76-4517/42-43 dated 29/10/43 from the D C B'lore District forwarding with his opinion a report about the conduct of messrs A Ramaswamappa and K Rudrappa - vice-President and Member respectively - of the Devanahally Town Mty. relating to the alleged act of having taken a bribe of Rs 40/- from one Mr P Chikkaveerappa in connection with the smuggling of Jaggery — an actionable article into the limits of the Mty on

Order thereon—No

(L)

The writ of 13 1 43

order no - L 10447-8

The parties were heard on 6 1 44

The records show that the Devarakulla Town P C ~~and~~ have also considered the question of the action to be taken in the contract of the members by at a special meeting held on 5-10 1943 and have resolved that the two Councillors may be removed for this time. The Town P C has been since reconstituted and Mr A Ramaswamappa referred to above is no longer a member of the said body.

Having regard to the above facts, first to be considered whether at this stage, it is necessary, at this stage, it would be sufficient to warn these two members, to take any further action as resolved by the Hon'ble and they are in the matter under section 14 of the Town Planning Act pleased to order accordingly

Acc 27 3 44

List of Enclosures

Mem

Ag - Legislative Department

To

Forward C Bring Diary with the records

Copied by

Examined by

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS

THE MAHARAJA OF MYSORE

12

R E A D -

Letter No M6-4517/42-43 dated 29-10-1943 from the Deputy Commissioner, Bangalore District forwarding with his opinion, a report about the conduct of Messrs A Ramaswamappa and K Rudrappa, Vice President and Municipal Councilor respectively - of the Devanahalli Town Municipality, relating to the alleged act of having taken a bribe of Rs 40/- from one Sr P Chikkaveerappa in connection with the smuggling of jaggery - an octroiable article-into the limits of the Municipality on the night of 13-1-1943

ORDER No L 10447-8/Rul 188-43-2

BANGALORE DATED THE 6th APRIL 1944

The parties were heard on 6-1-1944 This Town Municipal Council has been since reconstituted and Sr A Ramaswamappa referred to above is no longer a member of the said Municipal Council Having regard to all the facts, Government do not consider it necessary, at this stage, to take any further action in the matter under Section 14 of the Town Municipal Act

Secretary to Government,
Law Department

To -

The Deputy Commissioner, Bangalore District (with records)
The Comptroller to Government

TKD/3